



Order Filed on September 7, 2022
by Clerk

U.S. Bankruptcy Court
Case No. 19-14637-VFP
District of New Jersey

Chapter 13

Judge Vincent F. Papalia

FRENKEL LAMBERT WEISS WEISMAN & GORDON, LLP
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West Orange, NJ 07052
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File No.: 03-017355-B00
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Attorney for BANK OF AMERICA, N.A., Secured Creditor

In Re:

Claudette Brooks aka Claudette Thomas

Debtor(s).

Recommended Local Form ☐ Followed ☒ Modified

ORDER RESOLVING MOTION TO VACATE STAY WITH CONDITIONS

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**

DATED: September 7, 2022

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

Debtor: Claudette Brooks aka Claudette Thomas

Case No.: 19-14637-VFP

Caption of Order: Order Resolving Motion to Vacate Stay With Condition

Applicant: BANK OF AMERICA, N.A.

Applicant's Counsel: Frenkel Lambert Weiss Weisman & Gordon, LLP

Counsel for Debtor(s): Low & Low

Property Involved ("Collateral"): 1140 Summit Ave, Teaneck, NJ 07666

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings.

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The account is overdue for 13 months, from October 1, 2021 to October 1 2022.
- ☐ The account is overdue for ___ payments of \$___ per month.
- ☐ The account is assessed for ___ late charges at \$___ per month.
- ☒ Applicant acknowledges receipt of funds in the amount of \$25.78.

Total Arrearages due \$28,387.94.

2. Debtor(s) must cure all post-petition arrearages, as follows:

- ☒ A Lump-Sum Payment shall be made in the amount of \$28,387.94 no later than October 31, 2022.
- ☒ Beginning on November 1, 2022, regular monthly mortgage payments shall continue to be made in the amount of \$2,223.34.

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☐ Beginning on ____, additional monthly cure payments shall be made in the amount of \$____ for ____ months.

☐ The amount of \$____ shall be capitalized in the Chapter 13 plan. The monthly plan payment to the Chapter 13 Trustee is modified to be \$ ____ per month

3. Payments to the Applicant shall be made to the following address(es):

☒ Lump-Sum payment:

Bank of America, N.A.
PO Box 660933
Dallas, TX 75266

☒ Regular monthly payment(s):

Bank of America, N.A.
PO Box 660933
Dallas, TX 75266

☐ Monthly cure payment(s):

4. In the event of Default:

☒ If the Debtor(s) fail(s) to make the immediate payment specified above or fail(s) to make any regular monthly payment or the additional monthly cure payment within 28 days of the date the payments are due, then the Applicant may obtain an Order Vacating the Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the failure of the Debtor(s) to comply with this Order. At the time the Certification is filed with the

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court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and the attorney for the Debtor(s).

- ☐ If the Bankruptcy case is dismissed, or if the stay is vacated, the filing of the new bankruptcy case will not act to impose the automatic stay against the Applicant's, or the Applicant's successors or assigns, opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

- ☒ The Applicant is awarded attorneys' fees of \$1,050.00, and costs of \$188.00.
The fees and costs are payable:
- ☒ through the Chapter 13 plan.
- ☐ to the Secured Creditor within _____ days.
- ☐ Attorney fees are not awarded.